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**Entered on Docket
November 02, 2009**

Bruce A. Macdowell

**Hon. Bruce A. Markell
United States Bankruptcy Judge**

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U.S. Bank, N.A., its Successors and/or Assigns
09-74474 / 6912014171

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

BK-S-09-17787-bam

Jose L. Pina and Maria L. Pina

MS Motion No.

Date:

Time:

Chapter 13

Debtors.

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the
 2 post-petition arrearages currently due as follows:

3	4 Monthly Payments(s) at \$2,208.71	\$8,834.84
4	(July 1, 2009 - October 1, 2009)	
5	4 Late Charge(s) at \$85.21	\$340.84
6	(July 1, 2009 - October 1, 2009)	
7	Motion for Relief Filing Fee	\$750.00
	Attorneys Fees	\$150.00
	Immediate lump sum payment	(\$2,208.71)
	Total	\$7,866.97

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 9 The total arrearage shall be paid in six monthly installments. Payments one
 10 through five (1-5) in the amount of \$1,679.28 shall be in addition to the regular monthly payment
 11 and shall be due on or before the 20th day of the month commencing with the November 20,
 12 2009 payment and continuing throughout and concluding on or before March 20, 2010. The sixth
 13 final payment in the amount of \$1,679.28 shall be paid on or before April 20, 2010.

14 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
 15 shall give Debtors at least five business days' notice of the time, place and date of sale.

16 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume
 17 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
 18 beginning with the November 1, 2009, payment, on Secured Creditor's Trust obligation,
 19 encumbering the subject Property, generally described as 6812 Rolling Boulder , Las Vegas, NV
 20 89149, and legally described as follows:

21 LOT FIFTY (50) IN BLOCK TWO (2), OF FINAL MAP OF TOWN CENTER
 ASSEMBLAGE
 22 RPD5 55 NO. 3, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 122 OF PLATS,PAGE
 23, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.
 24 EXCEPT ALL OIL, ASPHALTUM, PETROLEUM, NATURAL GAS AND OTHER
 HYDROCARBONS AND OTHER VALUABLE MINERAL SUBSTANCES AND
 25 PRODUCTS, AND ALL OTHER MINERALS WHETHER OR NOT OF THE SAME
 CHARACTER HEREINABOVE GENERALLY DESCRIBED, IN OR UNDER SAID LAND
 AND LYING AND BEING AT A VERTICAL DEPTH OF 500 OR MORE FEET BELOW THE
 PRESENT NATURAL SURFACE OF THE GROUND, BUT WITHOUT RIGHT OF ENTRY
 26 ON THE SURFACE OR WITHIN A VERTICAL DEPTH OF 500 FEET BELOW THE
 PRESENT NATURAL SURFACE OF THE GROUND.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file

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3 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
4 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
5 attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth
6 (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this
7 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may
8 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable
9 State Law, and take any action necessary to obtain complete possession thereof.
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11 Submitted by: _____
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13 WILDE & ASSOCIATES
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15 By _____
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18 APPROVED AS TO FORM & CONTENT:
19

Rick A. Yarnall
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By WAH 10-28-09
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Randal R. Leonard
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By RRL _____
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